

Sex Offender Registries: A Content Analysis

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Abstract

A handful of highly publicized sexual assault cases served as the impetus for the passage of sex offender legislation, culminating in the Adam Walsh Child Protection and Safety Act (2006), which called for the registration of convicted sex offenders in all 50 states and the District of Columbia. The publicly accessible online registries have been the center of sex offender controversy in recent years, yet few researchers have analyzed the content of the registries. This study examined the content of the registries after the deadline for implementation of the Adam Walsh Act (AWA). An analysis of the 51 online registries was conducted to identify prevalent characteristics, search features, listing profile details, and rates of sex offenders. The most common search features included searching by name, zip code, city or town, county, and address. Nearly all registries also provide disclaimers (98%) and warnings (92%). Thirty registries (58.8%) allowed users to plot an offender's address through a mapping option. Most sites also provided numerous case-specific characteristics including various personal details about sex offenders such as appearance, specific offense information, victim information, and place of employment. Overall, the sites varied greatly from state to state and many offered additional features not required by the AWA. However, as of December 2011 only 15 states had substantially complied with AWA mandates (National Conference of State Legislatures).

Keywords

sex offenders, sex offender notification, Megan's Law

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Sex offenders may be the most demonized and despised criminals in our society (Lees & Tewksbury, 2006). Research suggests that sex offenders provoke anxiety among law-abiding citizens, and that the public has historically been concerned that sex offenders may victimize members of their families and communities (Levenson, D'Amora, & Hern, 2007). For example, in a survey of 193 Florida residents, Levenson, Brannon, Fortney, and Baker (2007) found that the majority of respondents believed that sex offenders would reoffend. The perceived threat could lead ordinary people to become fearful of a potential attack (Caputo & Brodsky, 2004).

Sex Offender Registration and Notification Act (SORNA)

A handful of highly publicized sexual assault cases involving young victims served as the impetus for the proposal and passage of legislation requiring registration and community notification of sex offenders in every state in the United States. In the mid-90s, as part of the Omnibus Crime Bill, the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1994* was enacted. This new legislation, named after child abduction victim Jacob Wetterling, provided states with guidelines for tracking sex offenders. Specifically, the *Wetterling Act* mandated that states track sex offenders by their residence for 10 years following release from prison. Furthermore, offenders convicted of violent sex crimes were required to report their residence quarterly for the rest of their lives. In January of 1996, the United States Congress enacted *Megan's Law* following the murder of 7-year-old Megan Kanka on July 29, 1994. Megan's Law (42 U.S.C. 170101(d))¹ facilitated public dissemination of information via states' sex offender registries. Megan's Law required local and state law enforcement agencies to release "relevant" information about sex offenders to protect the public, although the law was ambiguous about the specific details to be included in this disclosure.

Passed in 2006, the Adam Walsh Child Protection and Safety Act (AWA) required that certain information about all federal, state, military, tribal, territory, and some foreign sex offenses be recorded in registries, with a subset of the information available to the public through a searchable database. Title I of the AWA is entitled *Sex Offender Registration and Notification Act (SORNA)*. Section 111 of title I defines three tiers of sex offenders based primarily upon the type and seriousness of the offense, as well as the victim's age in those cases involving a victim who was a minor. Offenders, regardless of tier, are required to participate in the registration process outlined in the AWA. Section 115 of the AWA delineates the minimum lengths of sex offenders' registration periods based upon their tiers. For example, Tier I offenders must register for 10 to 15 years, Tier II offenders are required to register for 25 years, and Tier III offenders for 25 years to life (42 USC § 16915). The tiers also determine the frequency with which offenders are required to appear in person to have a current photograph taken and to verify and/or update offender registry information. Although title I of the AWA sets standards for registration length based upon tiers, the mandates

outlined are set as *minimum* standards and individual states may legislate lengthier registration periods or a broader scope of qualifying offenses that require registration (U.S. Department of Justice, 2008). For example, a state may mandate that Tier I sex offenders register for 20 years while the AWA standard states 15 years as the length of registration.

Section 114 of title I of the AWA mandates the inclusion of certain information in state registries. The sex offender is required to provide his or her name, social security number, residential address, name and address of employer or school, license plate number, and vehicle description. Following the offender responsibilities, the jurisdiction expectations are also outlined in the AWA (Sec. 114b). The state agency designated as the administrator of the registry is obligated to maintain additional information about each offender in the registry including a physical description of the offender, the specific criminal law violated by the offender, the offender's criminal history, the status of probation/parole/supervised release, a current photograph, fingerprints, DNA, and a copy of the offender's driver's license. Much of the information included in the state registries is maintained by officials of the offender's residential, employment, and/or school jurisdiction(s) for record-keeping and tracking purposes. Although these details are collected by jurisdictional authorities during the registration process, not all of the aforementioned information is included in the publicly accessible sex offender registry sites. Section 118 of the AWA lists guidelines for the public web-based registries.

Except as provided in this section, each jurisdiction shall make available on the internet in a manner that is readily accessible to all jurisdictions and to the public, all information about each sex offender in the registry. The jurisdiction shall maintain the internet site in a manner that will permit the public to obtain relevant information for each sex offender by a single query for any given zip code or geographic radius set by the user. The jurisdiction shall also include in the design of its internet site all field search capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website and shall participate in the website as provided by the Attorney General (42 USC § 16915).

Following this description, there is a list of mandatory exemptions including victim identity, offender's social security number, and information on offender arrests that did not result in conviction (42USC § 16918). There is also a list of optional exemptions that include employer name, school name, and any information about new convictions for Tier I sex offenders not involving a minor. Section 118 also requires that the registry websites include links that lead to information on sex offender safety and educational resources; instructions on how to correct erroneous data; and warnings to users to refrain from using information provided in the registry to injure, harass, or commit a crime against registered sex offenders. The warning is also supposed to point out that acting unlawfully towards sex offenders may result in criminal or civil penalties (42USC § 16918).

Other title I sections of the AWA address the jurisdiction's duty to notify sex offenders of registration requirements (42USC § 16917), community notification programs (42USC § 16921), noncompliance actions (42USC § 16922), registry management (42USC § 16923), and other specific implementation and administrative guidelines for registry creation and maintenance. There are also an additional six titles in the AWA, which include law enhancements (II), civil commitment of dangerous sex offenders (III), immigration law reforms for sex offenders (IV), child pornography prevention (V), grants/studies/programs (VI), and internet safety (VII). Despite these other sections in title I and additional titles that comprise the AWA, the focus of this article is on title I, and more specifically only those sections of the title that concern publicly accessible online registries.

Section 124 of title I of the AWA mandates a timeline for implementation. All registries were to comply with the AWA within 3 years of the passage of the act. Harris and Lobanov-Rostovsky (2010) pointed out that as of July 2009, no states were in full compliance with the AWA, so the U.S. Attorney General issued a 1-year extension. Following the timeline clause, the AWA warned of penalties to states that did not comply or at least "substantially implement" title I. Noncompliant states risked losing 10% of the funds that they would normally have received as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 USC § 16925). Additional fiscal incentives for compliance were described in Section 116 and included "bonus payments for prompt compliance" (42 USC § 16926). In 2010, states were permitted to apply for an additional 1-year extension. Nearly all (i.e., 237 of 242) registration jurisdictions applied for and were granted these extensions. Only three of the 56 U.S. states and territories, and two of the 186 Native American tribes had "substantially implemented" SORNA (U.S. Department of Justice, n.d.). As of December 2011, "15 states, two territories, and 16 tribes had substantially implemented SORNA requirements of the federal Adam Walsh Act" (National Conference of State Legislatures).

Literature Review

Despite the creation of online sex offender registries in every state in the United States, few researchers have analyzed the content of the registry websites. In 2002, Adams compiled one of the first summaries of some administrative characteristics of state sex offender registries. Adams' analysis did not, however, delve beyond a handful of variables related to the administration and automation of the sites. A few years later, Tewksbury and Higgins (2005) analyzed the content of the 40 state sex offender registries in existence at the time. The goal was to determine the commonalities between states and regions regarding the information listed on the registry sites. This most common information included presence of photograph, home address, map of residence location, other addresses (school, work, etc.), school (if student), age, date of birth, race, height, weight, hair color, eye color, tattoos (or other identifying marks), conviction offenses, risk level, aliases, employer, types of targets/victims, vehicle description, and last update of information to registry jurisdiction. Tewksbury

and Higgins analyzed the registries prior to the passage of the AWA (in 2006). As these websites are dynamic, it is important to revisit this area of inquiry now that federal mandates are in place. For instance, Tewksbury and Higgins found that not every site (only 89.7%) displayed a photograph of the offender; this is now federally mandated in the AWA. The present study reexamined the registries of all 50 states and the District of Columbia in the post-AWA era.

The purpose of this study was to explore the content of the registry websites and profile listings generally, and to examine the content in terms of compliance with the AWA. Specifically, the researchers sought to answer the following questions:

- What are the most common characteristics of sex offender registry websites?
- Are disclaimers and warnings present on the sites?
- What search features are available to site users?
- What listing information is included about each registered sex offender and offense?
- What victim-related information is included in the offense description?
- Does the content of publicly accessible sex offender registries adequately fulfill AWA mandates?

Method

The researchers accessed the publicly accessible content of 51 sex offender registries (i.e., those of all 50 states and the District of Columbia) and identified common features, search capabilities, listing details, and other related information. The researchers identified and defined 111 variables for inclusion in the content analysis.² Once the coding scheme was established, two additional coders were trained and then used to establish coding reliability. Between two and four coders coded each site and the rare discrepancies in coding were resolved.³ Initial reliability ranged from .92 through 1.0 for the variables included in the analyses; over 95 variables were coded with greater than 96% agreement. Each site was coded on variables including those related to disclaimers and warnings, translation capabilities, available search terms, mapping features, sex offender listing details, and types of victim information included in the listings.

Data Analysis and Results

The AWA calls for “[e]ach jurisdiction [to] maintain a jurisdiction-wide sex offender registry” (42 USC § 16912). All 50 states and the District of Columbia were maintaining sex offender registry sites as of November 2010 when this content analysis was conducted.⁴ Content analysis revealed that the sites were most often maintained by the state police (29.4%), state department of public safety (27.5%), state attorney general’s office (11.8%), or state department of corrections (7.8%). Although all states are now maintaining sex offender registry sites, the sites do not necessarily meet all of the

Table 1. Sex Offender Site Characteristics Related to Disclaimers and Warnings (*N* = 51).

Feature	Frequency	%
Site contains a disclaimer	50	98
Site contains a disclaimer on the first page	40	78.4
Site contains a disclaimer on every page	13	25.5
Site contains a warning	47	92.2
Site contains a warning on the first page	29	56.9
Site contains a warning on every page	15	29.4
Site contains a warning in enlarged text	19	37.3
Site contains a warning in color contrasting text	12	23.5
Site requires user to click an "accept" button for access	26	51
Site requires user to type alphanumeric code for verification	6	11.8

requirements of the AWA. One of the requirements of Section 118 of the AWA is that the site "include instructions on how to seek correction of [erroneous] information" (42 USC § 16918). In addition, Section 118 also calls for a warning to the user that "information on the site should not be used to unlawfully injure, harass, or commit a crime against an individual named in the registry or residing or working at any reported address [and that] any such action could result in civil or criminal penalties" (42 USC § 16918).

Two of the variables that the researchers examined in the study were registry disclaimers and warnings (see Table 1). Disclaimers advise the user that registry information may be inaccurate, outdated, and/or incomplete. Typically, the disclaimer is accompanied by a phone number for users to report erroneous information. Warnings inform the users of the criminal and civil penalties associated with using registry information to threaten, intimidate, or harass registered sex offenders and/or their families. As shown in Table 1, nearly every site had a disclaimer (98.0%) and a warning (92.2%). The majority of registries placed the disclaimer and warning on the first page of their respective websites. In addition, over one third of the websites used enlarged text to suggest the importance of the warning. Roughly half (51%) of the sex offender sites also required the user to click an "accept" button in order to enter the registry.

As a tool intended for public use in a country in which increasing numbers of residents speak a language other than English, the availability of registry information in multiple languages was of interest to the researchers. According to the U.S. Census Bureau (2010), there are approximately 50.5 million Hispanics/Latinos living in the United States, comprising 16% of the population. Furthermore, more than half of the total increase in population in the United States since 2000 was due to the expanding Hispanic/Latino population. Researchers have predicted that Hispanics/Latinos will make up roughly 30% of the U.S. population by 2050 (U.S. Census Bureau, 2008; see also Passel & Cohn, 2008). Spanish is the primary language spoken by 41% of Hispanic/Latino adults, both foreign and native born, in the United States (Hakimzadeh &

Table 2. Sex Offender Site Translation Access (N = 51).

Language availability	Frequency	%
Information available in English only	41	80.4
Access to Spanish translation	8	15.7
Access to Spanish and other language translation	2	3.9

Table 3. Sex Offender Spanish Translation Access (N = 51).

Access to Spanish translation	Rate of persons age 5 and over speaking Spanish at home				
	0-8%	8.1-15.1%	15.2-22.1%	22.2-29.3%	Total
Yes	5 13.5%	2 25%	1 33.3%	2 66.7%	10 10.6%
No	32 86.5%	6 75%	2 66.7%	1 33.3%	41 80.4%
Total	37 100%	8 100%	3 100%	3 100%	51 100%

Cohn, 2007). Moreover, the U.S. Census Bureau (2012) reported that nearly 35.5 million people age five and older spoke Spanish at home in 2009. Because Spanish is the second most common language in the United States, it was important to ascertain whether or not sex offender registry information could be viewed in Spanish, let alone the numerous other languages spoken by U.S. citizens (U.S. Census Bureau, 2010). Data analysis revealed, however, that the overwhelming majority (80.4%) of sites' content was available only in English (see Table 2). Ten sites (19.6%) offered Spanish translation, and two of these sites offered translation into one or more additional languages.

Since the rate of Spanish-speaking persons varies by state, using estimates provided by the U.S. Census Bureau (2010), the researchers coded for each state the "rate of persons age 5 and over speaking Spanish in the home."⁵ Table 3 illustrates the translation capability of the states' sex offender registry site by "rate of persons age 5 and over speaking Spanish at home." Interestingly, although those states with greater percentages of Spanish-speakers were more likely to have had registries with Spanish translation capabilities, half of the states in the two highest categories for Spanish speakers did not, in fact, offer such translation on their registry websites. Furthermore, five of 37 (13.5% of) states with relatively low rates (i.e., <8.0%) of Spanish-speakers did provide registry users with the option of Spanish translation.

Section 118 of the AWA calls for field search capabilities on each registry site (42 USC § 16918). In compliance with this requirement, most sex offender registries offered several core search fields such as offender's name (98%), address (65%), city or town (86.3%), zip code (96%), and county (68.6%) (see Table 4). Other than name, these search fields all revolve around the sex offender's physical place of residence. Fewer sites offered the ability to search by identifiers such as email addresses (25.5%)

Table 4. Sex Offender Registry Search Features ($N = 51$).

Registry allows for searching by:	Frequency	%
Name	50	98
Address	33	64.7
City/town	44	86.3
Zip code	49	96.1
County	35	68.6
Parks	1	2
Schools	6	11.8
Vehicle tag	3	5.9
E-mail	13	25.5
IM/screen name	9	17.6
Phone number	6	11.8
Appearance (height, weight, etc.)	3	5.9
Offense type	6	11.8

and screen names (17.6%). Clearly, the majority of registries lacked information pertaining to sex offenders' online identities. Relatively few sites allowed for searches of parks (2.0%), appearance (5.9%), vehicle tag (5.9%), phone number (11.8%) and offense type (11.8%).

Another feature of the registries that increases the potential utility of the registry data is a mapping capability. Web mapping services have become widely used by the public and they are easy to access (Nivala, Brewster, & Sarjakoski, 2008). Examples include Google Maps, Yahoo Maps, National Geographic Maps, and Map Quest. Use of these mapping programs is very common and users' purposes vary greatly. Nivala and colleagues (2008) point out that common mapping programs for the everyday user are powerful tools, but can be very difficult to use. In terms of sex offender mapping, some states included a mapping feature in their online registries, which may be a reflection of the growing use of mapping technology in everyday life (e.g., GPS, smart phone applications; see Table 5). Mapping search features such as sex offender address, city or town, and county can often help the user make a relative placement association with his/her own residence and daily activity patterns. Each registry site was coded on its mapping features, and the vast majority (72.5%) had one or more mapping features. Of those sites with mapping capabilities, the number of mapping features ranged from one through five. The average number of mapping features for all 51 sites was 1.84 ($SD = 1.70$). Most commonly (58.8%), registry sites allowed users to map a given street address in their respective state. Many (41.2%) offered a function whereby a specific address could be entered and all sex offenders within a determined proximity (e.g., one mile) would be mapped. Fewer sites offered users the option of mapping all offenders residing and/or working within a particular city or town, county, or zip code.

Table 5. Registry Mapping Features (*N* = 51).

Site allows for mapping of:	Frequency	%
An offender’s address	30	58.8
All offenders within a specified city/town	15	29.4
All offenders within a specified county	14	27.5
All offenders within a specified zip code	14	27.5
All offenders within a certain distance of a specified address	21	41.2

Table 6. Registry Listing Details about Offenders (*N* = 51).

Listing contents	Frequency	%
Photo	51	100
Name	51	100
Alias	41	80.4
Age/date of birth	51	100
Birth place	1	2
Gender	48	96.1
Race/ethnicity	47	92.2
Scars/tattoos	31	60.8
Height	50	98
Weight	50	98
Hair color	50	98
Eye color	49	96.1
Education level	2	3.9
Specific residential address	48	94.1
Residential address by block only	2	3.9
Residential address by town only	1	2
Work address	18	35.3
Name of employer or company	9	17.6
Occupation	3	5.9
School address	14	27.5
Offender school/employment	9	17.6
Vehicle type	12	23.5
Vehicle tag number	12	23.5
Corrections ID number	14	27.5
Last verified	20	39.2
Verification requirements	9	17.6
Status (compliant/noncompliant)	41	80.4

The offender profiles listed in the registries contained a variety of personal details (see Table 6). All of the registries contained the name, age or date of birth, and photo of the offender. Fifty of the sites also listed height, weight, and hair color. The vast

Table 7. Offense Information ($N = 51$).

Type of offense information	Frequency	%
Offense	51	100
Offense description	17	33.3
Offense date	5	9.8
Offense location	2	3.9
Arrest date	5	9.8
Arrest location	3	5.9
Arresting agency	3	5.9
Conviction date	40	78.4
Conviction location	27	52.9
Weapons used during offense	3	5.9
Force used during offense	5	9.8
Computer involved in crime	3	5.9
Pornography involved in crime	3	5.9
Risk level	23	45.1

majority (over 80%) of sex offender registries included specific residential address, gender, race/ethnicity, alias, eye color, and compliance status. Approximately 60% also included details regarding scars and tattoos. Fewer sites included information related to work and school addresses and verification information.

A registry user may be interested in the type of offense committed by a sex offender. All of the registries provided at least some information along these lines (see Table 7). For example, the actual offense of which the registrant was convicted was listed in every sex offender registry, and one third of the sites also provided a description of the offense. Conviction date and location were included in most sex offender registries (78.4% and 52.9%, respectively). Nearly half of the sites also indicated the “risk level” of the offender. Fewer sites (9.8%) listed offense information pertaining to offense date, arrest date, and force used during the offense. Few registries (5.9%) provided an arrest location, arresting agency, whether or not weapons were used, computer involvement, and pornography involvement. Only two registries disclosed offense location to the user.

In addition to information related to the offender and offense, some state sex offender registries provided victim characteristics. Details pertaining to victims of sex offenses that were found in some of the online registries included whether or not the victim was a minor, actual victim age, victim gender, and victim–offender relationship (see Table 8). The number of victim details on the sex offender registry sites ranged from zero through four (39.2% of the sites contained no victim information) with a median of 1 ($\bar{x} = 1.33$, $SD = 1.40$). Thirty-one (60.8%) of the sites indicated whether or not the victim was a minor; one-third specified the actual age of the victim at the time of the crime. The victim’s gender is specified in one quarter of the sex offender

Table 8. Victim Information (*N* = 51).

Type of victim information	Frequency	%
Whether victim was a minor	31	60.8
Relationship to victim	7	13.7
Victim's specific age	17	33.3
Victim's gender	13	25.5

Table 9. Listing Details Included in the Analysis.

Details			
Photo	Gender	Eye color	Minor
Name	Education	Offense	Listing start date
Alias	Age/date of birth	Offense description	Occupation
Residential address	Scars	Relationship to victim	Status
Work address	Height	Victim's age	Vehicle type
School address	Weight	Victim's gender	Vehicle tags
Race	Hair color	Risk level	Date information last verified

registries, but the relationship between the victim and perpetrator is less commonly provided (13.7%). Section 118 of the AWA specifically mandates the identity of the victim be exempt from the registry. However, given the victim details provided and the identity of the perpetrator, a prudent person could likely discern the victim's identity in cases in which the perpetrators and victims were nonstrangers.

The researchers next analyzed the data to determine the number of listing detail and victim detail fields in the sex offender registries. The possible listing details included the 28 different factors listed in Table 9. The number of listing detail fields on the sex offender registry sites ranged from eight through 25 (median = 17, \bar{x} = 17.14, *SD* = 2.81). As shown in Table 8, four of these possible details pertained to the victim (i.e., whether or not the victim was a minor, actual victim age, victim gender, and victim-offender relationship).

Discussion

The passage of the AWA called for the creation and maintenance of a publicly accessible sex offender registry by every U.S. state and territory. As of November 2010, all U.S. states and the District of Columbia were in compliance with this mandate; that is, all of these jurisdictions had functional registries. However, not all content-based requirements had been met (National Conference of State Legislatures). The purpose of this research was to analyze the content of the sex offender registry websites nationwide to determine the types of information included, and the level of detail in

the listings. In addition, the authors were interested in how the content of the sites balanced the desire for community safety and protection with the rights and needs of convicted sex offenders. The researchers also examined the registries in all 50 states, and the District of Columbia, in light of the mandates found in federal legislation.

Offender Details

This study focused on the content of the publicly accessible portion of the registry sites and offender profiles. All of the registries included the basic information regarding the offender such as photo ($n = 51$), offense ($n = 51$), name ($n = 51$), and date of birth ($n = 51$), while the vast majority listed additional information. The number of details listed per offender ranged from eight through 25, with an average of 17.14 ($SD = 2.81$) information fields. While Section 118 of the AWA calls for inclusion of “a physical description of the offender” in the registry, the specific physical characteristics to be disclosed are not specified (42 USC§16915). While nearly all registries provided information about gender, race/ethnicity, height, weight, hair color, and eye color, a few registries lacked information regarding one or more of these physical features.

Search Features

In compliance with the AWA, most sex offender registries enabled users to search for offenders by the offender’s name (98%), city or town (86%), and zip code (96%). A few sites allowed for searches by email addresses (25.5%) and screen names (17.6%). While not required by the AWA, these two search features are potentially important since a small, though relevant, number of reported sex crimes against minors have been internet-related (Mitchell, Finkelhor, Jones, & Wolak, 2010). For example, 7% of statutory rape arrests in 2000 were internet-related (Wolak, Finkelhor, Mitchell, & Ybarra, 2008). One challenge to providing useful information to registry users regarding the electronic identities of sex offenders is the ease with which offenders can create and use new screen names, potentially rendering this registry information obsolete.

Mapping Features

The vast majority (72.5%) of sex offender registry sites had one or more mapping features, which allowed users to map an offender’s address, all offenders within a specified city or town, all offenders within a specified county, all offenders within a specified zip code, or all offenders within a certain distance of a specified address. Section 118 of the AWA calls for the ability to identify all offenders within a “geographic radius set by the user” (42 USC§16915); if states are to meet this requirement, mapping features are a necessary part of the registry sites.

Protection of Offenders and Victims

The purpose of sex offender registry laws is presumably to protect the public. This must be accomplished while at the same time protecting offenders' rights and safety from potential harassers and vigilantes. Although warnings are present on most registry websites, the offender-specific information available on the site would enable motivated individuals to stalk, harass, or even harm the registered offenders. The registry listing details such as residential address, place of employment, and photo provide adequate information for locating and identifying a registered offender. While the offender listing details that can be used for reasons other than their intended purpose (i.e., community notification) are not in violation of any sections of the AWA, the stigma resulting from registration may have unintended consequences (see for example, Megale, 2011). Levenson et al.'s (2007) findings related to threats, harassment, and property damage committed against sex offenders illustrates this problem; approximately one fifth of sex offenders in their study reported experiencing such consequences as a result of their registry listings. In another study, Tewksbury and Levenson (2009) administered an online survey to family members and other loved ones of registered sex offenders. Respondents were asked about losses incurred and stress resulting from the registration of the sex offender. Over two thirds of the family members reported that "sex offender registration and notification (SORN) [had] caused stress" in their lives 'very often'; another 17.6% reported that they had experienced stress "fairly often." Over three-quarters felt "alone and isolated because of SORN" very often or fairly often, and 80% reported having "lost friends or a close relationship because of SORN" at least sometimes. Eighty-five percent had avoided participating in community activities as a result of "shame and embarrassment due to SORN" (p. 618). Tewksbury and Lees (2006) have also pointed out collateral consequences as a result of the sex offender registries that include harassment, job loss, and stigmatization.

Based upon these earlier research findings, and in accordance with the AWA's requirement for registry warnings and the provision of means through which to correct errors, the importance of informing the public of possible errors and omission on the sex offender registry websites cannot be overstated. Sex offender registries must also ensure that the public users are aware of the potential for the presence of inaccurate information. Warnings and disclaimers were found on nearly all of the websites analyzed in this study ($n = 47$ and 50 , respectively).

In addition to safeguarding offenders and protecting their rights, the identities of victims of should be protected. Since sex offender legislation has been the response to high-profile cases involving child victims, it was expected that particular care would be taken to protect children whose victimization resulted in the registration of offenders. As the AWA requires the identity of victims to be exempt from publicly accessible online registries, the researchers did not come across any sites that listed victims' identities. However, based on the context information available on some registry sites,

a reasonable person could, in some cases, identify a victim using the victim–offender relationship (provided on seven websites), age of the victim (17 websites), and the victim’s gender (13 websites). In the interest of protecting victim privacy, administrators of the sites should reconsider the inclusion of this information to protect victims, especially in cases in which the victim and perpetrator are nonstrangers.

Determining Risk Through Registry Information

It is likely that victim and other information has been included in some registry sites as a way for site users to “classify” the type of offender (e.g., child molester targeting related males under the age of 6), so as to assess risk to oneself or one’s family members. The assumptions made about offenders based upon some of the information may be erroneous. Sim and Proeve (2010) analyzed clinical case files for a sample of 128 adult males convicted of sexual offenses involving children. Crossover offending behavior was found among the majority of the perpetrators; that is, most offenders did not have a specific type of victim of choice in terms of age, gender, or relationship to offender (Sim & Proeve, 2010). Nearly two thirds of the sample committed sex crimes against different types of victims. In addition, almost half of the sample subjects selected one or more victims in a different age category (i.e., 5 and under, 6-12 years, 13 and older) from that of their initial reported victim, 22% revealed crossover to victims of the other gender, and 26% crossed-over in terms of perpetrator–victim relationship (e.g., intra-familial to extra-familial). Victim information is likely of interest to many sex offender registry users who would like to determine whether victims were minors and/or the nature of the relationship between perpetrator and victim. This information, however, may not prove helpful in determining risk to potential victims.

Registry users may also attempt to determine risk according to classifications provided on the website. The AWA calls for the registration of *all* sex offenders, with classification according to the seriousness of the offense, which presumably indicates the risk of harm posed to the community. The highest risk offender, a Tier III sex offender, is “a sex offender whose offense is punishable by imprisonment for more than 1 year” and includes sexual abuse, aggravated sexual abuse, and abusive sexual contact with a child under the age of 13, as well as offenses involving the kidnapping of a minor. Since the fundamental purpose of registration was to heighten community safety by notifying citizens of high-risk offenders living nearby, it is noteworthy that fewer than half of the sex offender registries at the time of data collection provided risk level information to public users.

Public Use of the Registry

Clearly, the effectiveness of the registry requires, first and foremost, knowledge of its existence. Citizens may learn about publicly available registries through various means.⁶ For example, Schiavone and Jeglic (2009) found that 44.3% of survey

respondents had learned of the registration law from television coverage; 38.3% mentioned learning about it via the internet, and 28.7% via newspaper coverage. Even with the knowledge of the sex offender registries, the public may not access and use the site for a number of reasons. First, potential users might be discouraged if the site is difficult to utilize. Although it was not the goal of the researchers to determine whether or not each site was user-friendly, elements of site usability were evident. That is to say, the design layout, navigation, reliability, clarity, and performance reflected the standards of a good usability model (Becker & Mottay, 2001). In addition, none of the coders experienced any inoperable links or inaccessible pages on any of the 51 sex offender registry websites.

Another potential obstacle to public use of the registry is lack of provisions for those with limited English literacy. As noted in the analysis, at the time of data collection, ten states offered at least Spanish translation features on their sex offender registry sites. Although states with higher rates of Spanish-speakers were more likely to have offered Spanish translation on the registry sites, there were some states with high rates of Spanish-speakers without translation on their sites and other states with relatively low rates of Spanish speakers with translation capabilities on the sites.⁷ Also, while some of the sites provided the opportunity for content translation, the issue of general illiteracy is not addressed by any state's registry.

Perhaps the greatest hindrance to public use of the registry is the lack of motivation on the part of the public to visit the sites. This was illustrated in one study that found that although 89.8% of the Nebraska residents in the sample were aware of the existence of sex offender registries, only 34% had actually accessed information on the state's registry site (Anderson & Sample, 2008). In another study of Michigan residents, 94.5% of respondents knew of the state registry's availability, but only 37% had viewed it (Kernsmith, Comartin, Craun, & Kernsmith, 2009). In this same study, common reasons reported among nonusers for not accessing the sex offender registry included having no interest, feeling safe and unaffected, not having children, and either not having a computer or not knowing how to access the registry. Victims of sex crimes and respondents with school-aged children were most likely to have reported using the registry.

Effectiveness of Sex Offender Registration

Generally, laws reflect social norms at a given time and such norms are subject to change. As compared to other areas of offending (see for example, Stratford, Gould, Hinds, & McKeganey, 2003), public disdain for sex offenders has seemed to remain relatively consistent over the years with moral panic following individual cases of horrific crimes, especially those committed against children by "stranger" perpetrators. Following such notorious cases, sex offenders as a group have been targeted by lawmakers. Despite the relatively low rate of nonstranger offenses against children, these crimes have provided the impetus for the creation and support of sex offender registration and notification laws.

Since its passage, sex offender registry legislation has had both advocates and opponents, and continues to be controversial (see for example, Megale, 2011). Members of the general public overwhelmingly favor the laws, but the strength of belief in the laws' importance and effectiveness have varied (e.g., Levenson et al., 2007; Proctor, Badzinski, & Johnson, 2002; Schiavone & Jeglic, 2009). Not surprisingly, there is a discrepancy between the perceptions of sex offenders and those of the general public regarding the effectiveness and fairness of community notification. Brannon, Levenson, Fortney, and Baker (2007) conducted a survey of a sample drawn from both populations. While sex offenders ($n = 125$) tended to view notification as largely ineffective in reducing sex offending, the general public sample ($n = 193$) largely believed that most forms of notification were effective. Registration lists, in particular, were viewed as effective by 38% of sex offenders as compared to 62% of the general public.

Beyond *perceptions* of the value of sex offender registration, some researchers have tried to assess the *actual* impact of the registration laws and of the registries themselves. The extant literature has reported mixed results in terms of the effectiveness of the passage of the AWA on offender recidivism (see e.g., Letourneau, Levenson, Bandyopadhyay, Armstrong, & Sinha, 2010; Tewksbury & Jennings, 2010). Research has shown that the relationship between actual community notification about high-risk sex offenders and community adoption of protective behaviors is not statistically significant (Bandy, 2011). Similarly, when people access the registry, they tend to feel safer, but they do not increase their crime prevention efforts (Anderson & Sample, 2008).

Although researchers have begun to evaluate sex offender legislation and registries, these evaluations have not truly assessed the effectiveness of the federally mandated registries as specified in the AWA, since so many jurisdictions are not in full compliance. In order to validly assess the impact of the AWA and subsequent changes to the sex offender registries, it is critical to first determine whether the registries have, in fact, been implemented according to the requirements of the law. This study was a first step in that direction. Future researchers may further assess and more accurately measure the effectiveness of the AWA when it is determined that all jurisdictions are in compliance.

Limitations

There were several limitations inherent in this study. First and foremost, the data were collected from websites that are subject to ongoing changes. This content analysis must be understood as merely a "snapshot" of the content within the context of dynamic sex offender registry websites. In addition, this research focused only on the registries of the 50 states and the District of Columbia; United States territorial and tribal websites were excluded. The researchers caution the reader not to presume that the findings are generalizable to the registries maintained by these territories and tribes.

While the researchers coded each site on a number of identified variables, there were many other potentially important variables that could have been included. For example, the inclusion of site usability, navigation, and organization variables in this

content analysis would have enabled the researchers to assess accessibility of the sex offender registry information for computer users of all levels of technical ability.

Another limitation in this study was the lack of access to the “closed” portion of the registry maintained in each jurisdiction; the researchers, therefore, cannot speak to compliance with the AWA on a number of variables such as timely registration and updating of personal information. Without access to sensitive information (e.g., Social Security numbers, DNA samples, etc.), it is not possible to determine procedural compliance by sex offender registry administrators of the nonpublic portion of the registry.

Summary and Conclusion

Overall, the present research found that the federally mandated sex offender registries provide to users a great deal of information about convicted offenders. Some sites may, in fact, provide too much information regarding both the offender and the victim. In comparison to Tewksbury and Higgins’ (2005) prior analysis of sex offender registries, the present researchers are able to conclude that registries have increased the number of details about sex offenders made available to the public. As we have witnessed a change in the number of publicly accessible sex offender registry details from 2005 to 2010, the trend toward greater comprehensiveness is likely to continue in the future. The passage of the AWA (2006) called for specific public registry components. This study has illustrated that some states (as of November 2010) had exceeded the mandates by adding a great deal of information and number of features to their online registries, while other states had not met the AWA standards. The number of details provided in the publicly accessible sex offender registries is likely a function of the resources available to the administrative agencies responsible for maintaining the sites. The specific political environment of each state might also play a role in the number of details provided in the registries.⁸

Although most states had met, and often exceeded, the basic content and search requirements set forth in the AWA, as of December 2011, only 15 states were in *full* compliance with the federal guidelines outlined in the Act (National Conference of State Legislatures). Noncompliance factors unrelated to the *content* of the publicly accessible registry websites were beyond the scope of this study. Future researchers should investigate the *procedural* integrity of registry administration, including the maintenance of the nonpublic portions of the registry.

It is likely that many states are not in compliance with AWA for budgetary reasons. Despite the financial incentives to states to comply with the requirements of the AWA, the implementation and maintenance of the registry sites may still be cost-prohibitive. For example, data from 15 of 21 New Jersey counties revealed that US\$3.9 million was spent to implement registration and notification legislation in 2006 (Zgoba & Bachar, 2009).

On the federal level, the Dru Sjodin National Sex Offender Public Website provides a centralized website at which users may search for offenders in any U.S. state or territory. This federal registration site is linked to each of the states’ sites. Although the question of the effectiveness of mandatory registration was beyond the purview of this study, the creation of uniform software for use by each state would likely improve

the efficiency of this effort and would facilitate continued research on the integrity of implementation of federal and state registration laws.

Despite the good intentions of the AWA, the value, efficacy, and fairness of sex offender registries have often been called into question (e.g., DuBois-Pedain, 2010; Lees & Tewksbury, 2006). The appropriateness of registries for all sex offenders is also debatable given that “sex offenders are an exceptionally heterogeneous group” (Saleh, Grudzinskas, Malin, & Dwyer, 2010, p. 360). It is important for legislators and scholars to continue the discussion of, and research on, sex offender registries to make educated decisions regarding the electronic dissemination of sex offender information. Research results related to the effectiveness and efficiency of registration, as well as other related sex offender legislation,⁹ should be used to inform future policy making.

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Notes

1. This was an amendment to Section 170101(d) of the Violent Crime Control and Law Enforcement Act of 1994.
2. At the onset of data collection, the researchers focused primarily on search functions, profile details, warnings and disclaimers, and region. As data collection progressed, new variables were added as other types of information were encountered on the sex offender registry sites. As new variables were added, the researchers revisited all registry sites to collect data related to the additional variables. While analyses of most of the variables are included in this article, analyses of a few variables were excluded because the included variables were only found on one or two sites and were considered by the researchers not to be substantively important (e.g., shoe size and shoe width of the offender).
3. The rare discrepancies were based upon human error, not validity issues related to the operational definitions themselves. For example, one of the coders mistakenly recorded that one state’s registry site warning was in “regular typeface” when, in fact, it was in “bold font.”
4. The data analyses that follow are based upon the content of the sex offender registry sites as of November 2010. As the content of these sites is dynamic (as is the case for many web-sites), the data presented here reflect a “snapshot” of the sites in the evolution of online sex offender registry sites in the United States.
5. The researchers also coded for each state other related variables including the “rate of persons age 5 and over speaking a language other than English at home,” the “rate of persons age 5 and over speaking English less than ‘very well,’” and the “rate of persons age 5 and over speaking another language at home and speaking English less than ‘very well.’” All of these variables were correlated with one another and “rate of persons age 5 and over speaking Spanish at home” was selected due to its relevance.

6. In the present study, the researchers analyzed data from each included jurisdiction's *official* registry site. There are however, additional nongovernment-sponsored websites with registries, which might confuse the average user.
7. The translation feature may have been more a function of political leanings than of practicality in some of the states, although research is needed to test this hypothesis.
8. Geographic regional analyses were conducted, but the average number of listing details did not vary greatly by region. Furthermore, the average number of victim details also did not differ greatly when examined by region
9. For example, although not required by the AWA, many states also have incorporated residency restrictions for certain sex offenders (Meloy, Miller, & Curtis, 2008), prohibiting sex offenders from living within a certain distance of schools, day care facilities, and other places frequented by children. Buffer zones between sex offender residences and public locations vary from 500 to 2,500 feet dependent on state and local guidelines (Levenson, Zgoba, & Tewksbury, 2007). By the end of 2007, 30 states had housing restriction statutes (Schivone & Jeglic, 2009).

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